

Exhibit 4

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1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK
-----X
3 TZVI WEISS, et al.,
4 Plaintiffs,
5 -against-
6 NATIONAL WESTMINSTER BANK, PLS.,
7 Defendant.
-----X
8 NATAN APPLEBAUM, et al.,
9 Plaintiffs,
10 -against-
11 NATIONAL WESTMINSTER BANK, PLC.,
12 Defendant.
-----X
13
14
15 * HIGHLY CONFIDENTIAL *
16
17 CONTINUED VIDEOTAPED DEPOSITION of
18 Belinda Lane, Volume II, taken before Cheryl
19 Kerr, a Notary Public and a Shorthand
20 Reporter, at the offices of Cleary, Gottlieb,
21 55 Basinghall Street, London, England on
22 the 25th day of June, 2008 at 9:36 a.m.
23
24
25

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6	EXHIBITS	
7	LANE	
8	FOR ID	DESCRIPTION PAGE
9	Exhibit 19	Single-page document Bates 337
10	No. NW 012954	
11	Exhibit 20	Multi-page document Bates 346
12	Nos. NW 000084	
13	through NW 0000111	
14	Exhibit 21	Document Bates Nos. NW 008321 365
15	through 8446	
16	Exhibit 22	Three-page document bearing 382
17	Bates Nos. NW 009833	
18	to 9835	
19	Exhibit 23	Document bearing Bates 393
20	Nos. NW 000294 through	
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24 BY: ANDREW FRIEDMAN, ESQ. (OF COUNSEL)
25 Also Present: Jackie Sheftali, NatWest; Simon
Rutson, Videographer

1 THE VIDEOGRAPHER: This is the
2 beginning of Tape 1, Volume 2 and the
3 continuation in the deposition of Belinda
4 Lane.
5 On the record, 9:36 a.m., as
6 indicated on the video screen.
7 B E L I N D A L A N E,
8 called as a witness, having been previously duly
9 sworn, was examined and testified
10 as follows:
11 EXAMINATION BY MR. SCHWARTZ:
12 Q. Good morning, Ms. Lane. My name is
13 Steven Schwartz.
14 A. Good morning.
15 Q. I met you yesterday. How are you? Did
16 you get a good night's sleep?
17 A. I did, thank you.
18 Q. Wish I did, but I am going to be asking
19 you a few more questions about what you know about
20 the facts which have given rise to this lawsuit.
21 I am going to try very hard not to tread over
22 the same ground we went over yesterday, but I think
23 inevitably I may repeat certain things, and if I do,
24 I hope you'll apologize to me (sic), and I hope your
25 lawyers will not object too strenuously.

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1 been sent..."

2 Do you know who would have sent it to

3 Mr. Wiltshire --

4 A. No.

5 Q. -- or how the suspicion would have been

6 precipitated?

7 A. No.

8 Q. You don't know?

9 (Informal discussion held off the

10 record.)

11 BY MR. SCHWARTZ:

12 Q. He says in the second paragraph "I would

13 be grateful -- I would be -- therefore be grateful

14 if you would kindly provide me some background info

15 on this connection with details of the most recent

16 due diligence undertaken in respect of the bank's

17 knowledge of dealings in the U.S. dollar account."

18 Do you see that?

19 A. Yes.

20 Q. Did you send Mr. Wiltshire the details of

21 the bank's most recent due diligence as he

22 requested?

23 A. This -- I sent him a return email

24 (indicating).

25 Q. So your testimony is that this email was

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1 your response to that request for the most recent

2 due diligence, is that correct?

3 A. Yes.

4 I would add that I have stated at the bottom

5 that "My next meeting is Monday, the 21st of

6 January, when I will discuss present operations in

7 use of the dollar account."

8 Whether I then sent something subsequent to

9 that meeting, I don't know.

10 Q. Do you remember whether you did in fact

11 meet with Mr. Qundil on the 21st of January, 2002?

12 A. If that was the date on one of the

13 interview notes that I produced -- I can't remember,

14 unless I was shown the note, interview note. If --

15 if it had that date on there, and I had done an

16 interview note, then yes.

17 Q. Well, yesterday Mr. Werbner put in two

18 exhibits, if you recall, which were Lane 3, which is

19 the synopsis of customer meeting, and that's dated

20 March 20th, 2002, about two months after this

21 meeting, and Lane 11, which is a synopsis of a

22 customer meeting January 27th, 2003.

23 Now, I am not perfect. I may have missed it in

24 the database, but to the best of my knowledge, I

25 have never seen a meeting synopsis for that

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1 January 21st meeting. Do you know if you produced

2 one?

3 A. I am fairly certain that if -- if I had

4 had a meeting, I would have produced it, but I can

5 only conclude, because I very much doubt that I

6 would have seen them in both January and the March,

7 my guess is that that meeting on the 21st of January

8 perhaps got deferred for some reason to the March,

9 because I very much doubt -- I don't recall seeing

10 them two times in such a short space of time.

11 But if I had have seen them, I am fairly

12 certain I would have produced an interview note.

13 Q. Okay. Now, in -- in your response to

14 Mr. Wiltshire, you say that "Interpal provides" --

15 excuse me.

16 This is your fourth bullet point -- "provides

17 charitable relief to refugees in Israel, West Bank,

18 and Gaza and Lebanon."

19 How did you know that?

20 A. Because Jihad Qundil told me that.

21 Q. Did you personally, yourself, check to

22 see that that was true?

23 A. No. It wasn't my responsibility to check

24 that. My responsibility is to ascertain from the

25 customers what their business is.

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1 And if ever there is anything that would lead

2 me to believe that their business was -- was

3 otherwise, then I would be suspicious and would file

4 a suspicious transaction report, but there was never

5 anything that led me to believe they did otherwise.

6 Q. Do you know whether anyone within the

7 bank would have had responsibility to check the

8 accuracy of that statement (indicating)?

9 A. I don't know that, no.

10 Q. Well, I am only asking --

11 A. Uh-huh.

12 Q. -- because in my review of the -- we were

13 provided with hundreds of transaction documents for

14 the account. Most of them were, in fact, sent to

15 other organizations rather than to individuals in

16 relief, if I may characterize it that way.

17 So I am really wondering whether to your

18 knowledge, did anyone within the bank check to see

19 that, in fact, the dollars that were being disbursed

20 from the NatWest Interpal accounts were, in fact,

21 providing charitable relief to refugees in Israel,

22 West Bank, Gaza and Lebanon?

23 MR. L. FRIEDMAN: Object to the form

24 of the question.

25 THE WITNESS: I don't know.

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1 in any doubt whatsoever.

2 Q. Did your training in money laundering

3 prevention teach you to distinguish between funds

4 being received by your client as opposed to funds

5 being disbursed by your client?

6 A. Well, I know the difference between funds

7 in and funds out, so -- I'm not sure what you mean

8 by "distinguished between."

9 Q. Let me rephrase the question, then.

10 In your training in money laundering

11 prevention, were you taught that "funds in" were

12 more likely to raise a suspicion than "funds out"?

13 A. Not necessarily, but you would have had

14 to receive funds in to have funds go out, so I --

15 I --

16 Personally, I don't recall there being a

17 significant difference between the two. Both could

18 raise the same suspicion.

19 Q. So your best recollection of your

20 training is that an unusual amount of funds in could

21 raise a suspicion of money laundering, is that

22 correct?

23 MR. L. FRIEDMAN: Object to the form.

24 THE WITNESS: If it was outside the

25 normal context of the customer's business

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1 operations.

2 BY MR. SCHWARTZ:

3 Q. And is that the same answer for transfers

4 of funds out?

5 A. Yes.

6 Q. Did you also receive training in how to

7 help the bank ensure that it was not involved in

8 terrorism funding?

9 MR. L. FRIEDMAN: Object to form.

10 THE WITNESS: I believe it's all part

11 of the same training, yes.

12 BY MR. SCHWARTZ:

13 Q. So then you did receive training of that

14 nature?

15 A. Yes.

16 Q. Can you tell me, please, your

17 understanding of the sort of transactions that might

18 give rise to a suspicion of terrorism funding?

19 MR. L. FRIEDMAN: From her training?

20 BY MR. SCHWARTZ:

21 Q. From your training.

22 A. I can't remember specific examples, but

23 again, it -- it would -- it would just be unusual

24 transactions outside the normal context of the

25 customer's business operations.

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1 Q. And if you saw such a thing, your job, as

2 it were, would be to file a suspicious activity

3 report with the bank?

4 A. Yes, it would.

5 Q. Now, you understand that this case that

6 we are here working on concerns your client

7 Interpal?

8 A. Yes.

9 Q. Your former client, excuse me.

10 During the years that you were relationship

11 manager for Interpal, did any transaction of theirs

12 give rise to a suspicion of money laundering, to

13 you?

14 A. No.

15 Q. Did any of their transactions ever cause

16 you to have a suspicion of terrorism financing?

17 A. No.

18 Q. All right. You've testified that you

19 would be looking for transactions out of the

20 ordinary pattern of the client's business, is that

21 correct?

22 A. It's not my role to look for those

23 transactions. If -- if one was brought to my

24 attention, but it's not my role to look for those.

25 Q. Well, who would bring it to your

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1 attention?

2 A. Money laundering prevention unit or group

3 investigations and fraud, possibly, or maybe another

4 department that were processing those applications.

5 Q. But you, yourself, did not monitor

6 Interpal --

7 A. No.

8 Q. -- for money laundering or terrorism

9 financing, is that correct?

10 A. That's correct.

11 Q. You, yourself, did not look for

12 suspicious transactions from Interpal --

13 transactions that would give rise to a suspicion of

14 money laundering or terrorism financing, correct?

15 A. I didn't suspect the customer, so I had

16 no reason to look at any individual transactions.

17 Q. And to the best of your knowledge, that

18 would have been done by the service center, as

19 you've testified earlier?

20 MR. L. FRIEDMAN: What would have

21 been done? I'm sorry.

22 MR. SCHWARTZ: Monitoring

23 transactions for transactions that would

24 give rise to a suspicion of money

25 laundering or terrorism financing.